

ESTTA Tracking number: **ESTTA470986**

Filing date: **05/04/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91201238
Party	Defendant Topspin-IDS Acquisition, LLC
Correspondence Address	PETER M BRODY ROPES & GRAY LLP ONE METRO CENTER, 700 12TH ST NW STE 900 WASHINGTON, DC 20005 UNITED STATES trademarks@ropesgray.com, peter.brody@ropesgray.com, medha.makhlouf@ropesgray.com
Submission	Other Motions/Papers
Filer's Name	Peter M. Brody
Filer's e-mail	trademarks@ropesgray.com
Signature	/Peter M Brody/
Date	05/04/2012
Attachments	001 Motion for an Extension of Answer or Discovery or Trial Periods with Consent.pdf (3 pages)(98025 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Neways, Inc.,

Petitioner,

v.

Topspin-IDS Acquisition, LLC,

Respondent

**Opposition # 91201238
Application # 85/174,256**

**MOTION FOR AN EXTENSION OF ANSWER OR DISCOVERY OR TRIAL PERIODS
WITH CONSENT**

The parties are actively engaged in negotiations for the settlement of this matter. Topspin-IDS Acquisition, LLC requests that this proceeding be extended for 30 days to allow the parties to continue their settlement efforts.

Time to Answer:	CLOSED
Deadline for Discovery Conference:	06/23/2012
Discovery Opens:	06/23/2012
Initial Disclosures Due:	07/23/2012
Expert Disclosure Due:	11/20/2012
Discovery Closes:	12/20/2012
Plaintiff's Pretrial Disclosures:	02/03/2013
Plaintiff's 30-day Trial Period Ends:	03/20/2013
Defendant's Pretrial Disclosures:	04/04/2013
Defendant's 30-day Trial Period Ends:	05/19/2013
Plaintiff's Rebuttal Disclosures:	06/03/2013
Plaintiff's 15-day Rebuttal Period Ends:	07/03/2013

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Topspin-IDS Acquisition, LLC has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Topspin-IDS Acquisition, LLC has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Dated: May 4, 2012

Respectfully submitted,

/s/ Peter M. Brody
ROPES & GRAY LLP
One Metro Center
700 12th Street NW, Suite 900
Washington, DC 20005
(202) 508-4600
(202) 508-4650 (Facsimile)
peter.brody@ropesgray.com

Medha D. Makhlouf
ROPES & GRAY LLP
800 Boylston St.
Boston, MA 02199
(617) 951-7000
(617) 951-7050 (Facsimile)
medha.makhlouf@ropesgray.com

Attorneys for Respondent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Neways, Inc.,

Petitioner,

v.

Topspin-IDS Acquisition, LLC,

Respondent

**Opposition # 91201238
Application # 85/174,256**

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Motion for an Extension of Answer or Discovery or Trial Periods with Consent has been served upon John C. Stringham by mailing said copy on this 4th day of May, 2012, via e-mail to:

John C. Stringham
Workman Nydegger
1000 Eagle Gate Tower, 60 East South Temple
Salt Lake City, UT 84111
JStringham@WNLaw.com



JOHN SWAN
ROPES & GRAY LLP